UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
DOBSON, DANIEL G

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 07/13/2009 have been fully considered but they are

not persuasive.

Applicant's first argument is that "*Battou* does not teach or suggest at least

that 'the control unit is configured to program the electronic switch according to a

number of predetermined switch configurations and based on instruction

received from on of the plurality of electro-optical components or from an external

device." (Applicant's Arguments, 07/13/2009, p. 5.) In support of this argument

Applicant states that "*Battou* does not teach or suggest the possibility of

reprogramming, particularly dynamically, the FPGA on the fly. . ." (Applicant's

Arguments, 07/13/2009, p. 5.) The examiner respectfully notes that these

limitations are not a requirement of claim 22.

Claim 22 requires a dynamically configurable electronic switch, and that

the control unit is configured to program the electronic switch according to a

number of predetermined switch configurations and based on instructions

received from an external device. Dynamically reprogramming the switch on the

fly is not the same as switch that is dynamically configurable, and is programmed

according to a number of predetermined switch configurations. A round robin

schedule (¶ 178, one way the switch may be programmed) is a program that tells

the switch (FPGA, 1540) how to handle a number of predetermined switch

configurations (Connection to input/output 1, then connection to input/output 2,

etc.)

Applicant's next point is that *Battou* does not teach or suggest that the

control FPGA 1544 of *Battou* is configured to dynamically program the FPGA

1540. (Applicant's Arguments, 07/13/2009, p. 6.) The examiner respectfully

notes that this limitation is not a requirement of claim 22. The claim recites that

the control unit is configured to program the electronic switch.

Applicant's last point is that "*Battou* does not teach or suggest that by

reprogramming the FPGA 1540, the function of the Access Line Interface

changes, compared to the original functionality." The examiner respectfully notes

that reprogramming the switch to change the function of the ALI is not a limitation

of claim 22.

In conclusion, the examiner respectfully submits that *Battou* discloses a

control unit (FPGA 1540) and a dynamically configurable electronic switch

(FPGA 1540, with 1st configuration of passing traffic to/from 1st GigE transceiver,

2nd configuration of passing traffic to/from 2nd GigE transceiver, etc.), wherein the

control unit is configured to program the electronic switch according to a number

of predetermined switch configurations (round robin program, 178) and based on

instructions received from an external device (configuration and control of the ALI

comes from the LCM (¶¶ 110-1), which reaches components on the ALI

(including FPGA 1540) via the control FPGA (Fig. 15 connection between the

FPGA (1540) and LCM is made through the control FPGA.))

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL G. DOBSON whose telephone number is (571)272-9781. The examiner can normally be reached on Mon. - Fri. 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on (571) 272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daniel G. Dobson/
Examiner, Art Unit 2613
07/30/2009

/Kenneth N Vanderpuye/

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